

Docket No.: TUC9-1997-0006 US2

September 9, 2005

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SEP 09 2005

Re: Applicant(s): **Basham et al.**  
 Assignee: **International Business Machines Corporation**  
 Title: **DUAL PURPOSE MEDIA DRIVE PROVIDING CONTROL  
PATH TO SHARED ROBOTIC DEVICE IN AUTOMATED  
DATA STORAGE LIBRARY**  
 Serial No.: **09/853,557**  
 Examiner: **T. R. PEYTON** Filed: **5/10/2001**  
 Docket No.: **TUC9-1997-0006 US2** Group Art Unit: **2182**

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

- (1) This Transmittal Letter (in duplicate); and
- (2) Response To Non-Final Office Action (3 pages); and
- (3) Petition For Extension Of Time (1 page); and
- (4) Terminal Disclaimer (2 pages).



No additional fee is required.

The fee has been calculated as shown below:

**CLAIMS AS AMENDED**

	Claims Remaining <u>After Amendment</u>		Highest No. <u>Previously Paid For</u>		Present <u>Extra</u>	Rate	Additional Fee
Total Claims	33	Minus	33	=	0	x \$18.00	\$ 0
Independent Claims	13	Minus	13	=	0	x \$84.00	\$ 0
<input type="checkbox"/> Fee of _____ for the first filing of one or more multiple dependent claims per application						\$	0
<input checked="" type="checkbox"/> Fee for Terminal Disclaimer						\$	<u>130.00</u>
<b>Total additional fee for this Amendment:</b>						\$	<u>130.00</u>
<input checked="" type="checkbox"/> Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.						\$	<u>1020.00</u>
<input checked="" type="checkbox"/> Please charge our Deposit Account No. 09-0449 in the amount of						\$	<u>1150.00</u>
<input checked="" type="checkbox"/> Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 09-0449.						\$	
						<b>Total:</b>	<b>\$ <u>1150.00</u></b>

I hereby certify that this correspondence is being faxed to:  
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA,  
 22313-1450, on September 9, 2005.

John C. Kennel  
 Signature

9/9/05  
 Date of Signature

Respectfully submitted,

John C. Kennel  
 Attorney for Applicants  
 Reg. No. 48,562  
 Phone: (520) 799-5793  
 Facsimile: (520) 799-5551

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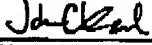
No additional fee is required.

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Independent Claims	13	Minus 13	= 0	x \$84.00	\$ 0
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<input checked="" type="checkbox"/> Fee for Terminal Disclaimer					\$ 130.00
<b>Total additional fee for this Amendment:</b>					<b>\$ 130.00</b>
<input checked="" type="checkbox"/> Conditional Petition for Extension of Time: If an extension of time is required for timely filing of the enclosed document(s) after all papers filed with this transmittal have been considered, an extension of time is hereby requested.					<b>\$ 1020.00</b>
<input checked="" type="checkbox"/> Please charge our Deposit Account No. 09-0449 in the amount of					<b>\$ 1150.00</b>
<input checked="" type="checkbox"/> Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 09-0449.					
			<b>Total:</b>	<b>\$</b>	<b><u>1150.00</u></b>

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Basham et al.  
Assignee: International Business Machines Corporation  
Title: DUAL PURPOSE MEDIA DRIVE PROVIDING CONTROL PATH TO SHARED  
ROBOTIC DEVICE IN AUTOMATED DATA STORAGE LIBRARY  
Serial No.: 09/853,557 Filed: 05/10/2001  
Examiner: T. R. PEYTON Group Art Unit: 2182  
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September 9, 2005

FEE AMENDMENT  
COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

**RESPONSE TO NON-FINAL OFFICE ACTION**

Dear Sir:

This paper is responsive to the Office Action dated March 9, 2005 (the "Office Action"), having a shortened statutory period expiring on June 9, 2005. Accompanying this response is a Petition under 37 C.F.R. § 1.136 for a three-month extension of time, setting a new time for response of September 9, 2005. Further examination and reconsideration are respectfully requested in view of the remarks set forth below.